

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/777,560	02/06/2001	Curtis R. Brandt	032026-0460

CONFIRMATION NO. 8196

## FORMALITIES LETTER



\*OC000000006062434\*

Mark A. Kassel  
FOLEY & LARDNER  
150 East Gilman Street  
P.O. Box 1497  
Madison, WI 53701-1497

Date Mailed: 05/10/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 840.

- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, a request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

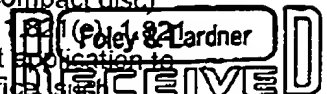
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BY CEO DATE 5/21/01

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BY SW DATE 5/21/01

MAY 21 2001




For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

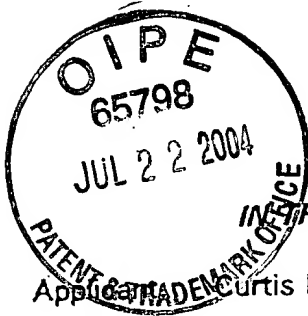
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*A copy of this notice MUST be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Atty. Dkt. No. 032026-0460

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Curtis R. BRANDT et al.


Title: Pharmacologically Active Antiviral  
Peptides and Methods of Their  
Use

Appl. No.: 09/777,560

Filing Date: 02/06/2001

Examiner:

Art Unit:

<b>CERTIFICATE OF MAILING</b> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date below.  <b>Mark A. Kassel</b> (Printed Name)   (Signature)  <b>August 24, 2001</b> (Date of Deposit)
--

**TRANSMITTAL OF MISSING PARTS**  
**OF PATENT APPLICATION**

Commissioner for Patents  
Washington, D.C. 20231

Attn: BOX MISSING PARTS

Sir:

In response to the Notice to File Missing Parts of Application mailed on 5/10/2001,  
in the above-identified application, transmitted herewith are the missing parts needed to  
complete the filing of the subject patent application.

Enclosed are:

- ☒ Declaration and Power of Attorney (4 pages)
- ☒ Copy of Notice to File Missing Parts (Part 2 of Form PTO-1533)
- ☒ Check in the amount of \$420.00 in payment of surcharge fee  
(37 C.F.R. § 1.16(e))
- ☒ Other: Petition for Extension of Time ☒ Check in the amount of  
\$195.00
- ☐ Please charge Deposit Account No. 06-1447 in the amount of \_\_\_\_\_ in  
payment of surcharge fee (37 C.F.R. § 1.16(e))

Atty. Dkt. No. 032026-0460

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Respectfully submitted,

Date August 24, 2001

FOLEY & LARDNER  
150 East Gilman Street  
P. O. Box 1497  
Madison, Wisconsin 53701-1497  
Telephone: (608) 258-4272  
Facsimile: (608) 258-4258

By 

Mark A. Kassel  
Attorney for Applicant  
Registration No. 38,200

THE U.S. PATENT AND TRADEMARK OFFICE  
OFFICIAL MAILROOM STAMP AFFIXED HERETO  
ACKNOWLEDGES RECEIPT OF THE ITEMS  
CHECKED BELOW:

MAILED VIA FIRST CLASS MAIL

Serial No.: 09/777,560

Applicants: Curtis J. BRANDT et al.

Filed: February 6, 2001

Title: PHARMACOLOGICALLY ACTIVE  
ANTIVIRAL PEPTIDES AND METHODS  
OF THEIR USE

Date Mailed: August 24, 2001

- (X) Copy of Notice to File Missing Parts
- (X) Transmittal of Missing Parts (duplicate)
- (X) Signed Declaration and Power of Attorney
- (X) Check (No. 591026) for \$420.00
- (X) Petition for Extension of Time (duplicate)
- (X) Check (No. 591027) for \$195.00

SKET NO.: 032026-0460



FILE COPY

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NO. 591026

FOLEY & LARDNER

First Star Center  
1777 East Wisconsin Avenue  
MILWAUKEE, WISCONSIN 53202

DATE Aug 14, 2001

PAY FOUR HUNDRED TWENTY AND 00/100 Dollars

COMMISSIONER OF PATENTS

AMOUNT

420.00

FIRST STAR  
First Star Bank Milwaukee, WI

*Tom I. Budd*

CHECKS OVER \$15,000 REQUIRE TWO SIGNATURES

591026 0075000022 1.2032 389

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NO. 591027

FOLEY & LARDNER

First Star Center  
1777 East Wisconsin Avenue  
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DATE Aug 14, 2001

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COMMISSIONER OF PATENTS

AMOUNT

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FIRST STAR  
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*Tom I. Budd*

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Serial No.: 09/777,560

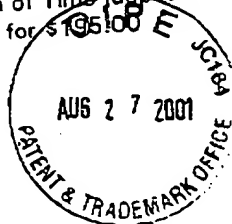
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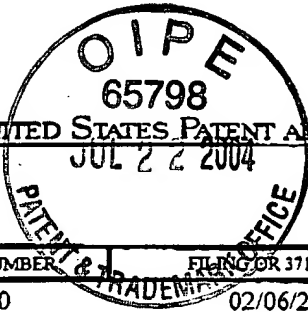


DOCKET NO.: 032026-0460

Atty.: MAK

100

COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/777,560	02/06/2001	Curtis R. Brandt	032026-0460

CONFIRMATION NO. 8196

ABANDONMENT/TERMINATION  
LETTER

\*OC000000012906353\*

23524  
FOLEY & LARDNER  
150 EAST GILMAN STREET  
P.O. BOX 1497  
MADISON, WI 53701-1497

Date Mailed: 06/09/2004

**NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)**

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 05/10/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

  
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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE